

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL 456 HEALTH AND
WELFARE TRUST FUND and UFCW LOCAL
1776 AND PARTICIPATING EMPLOYERS
HEALTH AND WELFARE FUND, on behalf of
themselves and all others similarly situated,

Plaintiffs,

-against-

QUEST DIAGNOSTICS INCORPORATED and
NICHOLS INSTITUTE DIAGNOSTICS,

Defendants.

CIVIL ACTION NO: 10-CV-1692

**DECLARATION OF
VIRGINIA E. ANELLO
IN SUPPORT OF
PLAINTIFFS' OPPOSITION
TO DEFENDANTS'
MOTION TO DISMISS AND
MOTION TO STRIKE**

I, Virginia E. Anello, on oath, declare and state as follows:

1. I am an associate with the law firm of Douglas and London, P.C., counsel for Plaintiffs, and as such, I am familiar with the facts and proceedings set forth herein. I submit this declaration in support of the within opposition by Plaintiffs to Defendants' Motion to Dismiss and Motion to Strike.

2. A true and correct copy of Excerpts from Quest Diagnostics Inc. Form 10-Q for quarter-ended June 30, 2009 is annexed hereto as Exhibit 1.

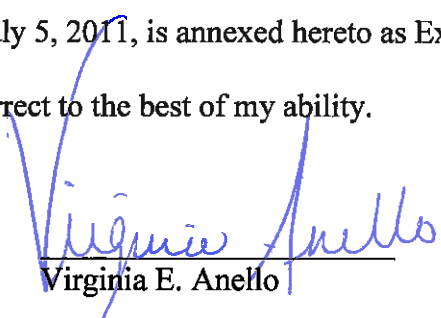
3. A true and correct copy of Excerpts from Quest Diagnostics Inc. Form 10-12B/A filed with the SEC on Nov. 26, 1996 is annexed hereto as Exhibit 2.

4. A true and correct copy of the Memorandum and Decision of the Court in *In re Actiq Sales and Marketing Practices Lit.*, No. 07-cv-4492, denying Defendants' Motion for Judgment on the Pleadings, is annexed hereto as Exhibit 3.

5. A true and correct copy of a news article entitled "Quest Diagnostics to Pay U.S. \$302 Million to Resolve Allegations That a Subsidiary Sold Misbranded Test Kits" published by Reuters News on April 15, 2009, last accessed July 5, 2011, is annexed hereto as Exhibit 4.

I declare that the foregoing is true and correct to the best of my ability.

Dated: July 6, 2011


Virginia E. Anello